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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,
9 Plaintiff,

10 vs.

11 BILLY JOE WEST,
12 Defendant.

Case No.: 2:20-mj-00217-DJA

**STIPULATION TO CONTINUE
DETENTION HEARING**

(First Request)

14 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich,
15 United States Attorney, Jessica Oliva, Esq., Assistant United States Attorney, and David R.
16 Fischer, Esq., counsel for defendant BILLY JOE WEST, that the Hearing for Detention in the
17 above-captioned matter set for Wednesday, March 25, 2020 at 02:30 P.M., be vacated and
18 continued to Thursday, March 26, 2020 at 02:30 P.M.

19 This Stipulation for the continuance is entered into for the following reasons:

- 20 1. This is a joint request by counsel for the Defendant, BILLY JOE WEST, and the
21 Assistant United States Attorney, Jessica Oliva;

1 2. Counsel request this additional time in order to allow the third party custodian, Mrs.
2 Cheryle West, to be present at the detention hearing; Mrs. West is unable to attend
3 the detention hearing on Wednesday, March 25, 2020, due to medical reasons.

4 3. Counsel communicated with the Defendant, BILLY JOE WEST, who is in custody
5 at the Nevada Southern Detention Center, and WEST agrees with the continuance;

6 4. This is the first request for a continuance filed herein.

7 WHEREFORE, for the foregoing reasons, the ends of justice would best be served by a
8 continuance of the Detention Hearing to Thursday, March 26, 2020 at 02:30 P.M..

9 DATED this 24th day of March 2020

10
11 /s/ Jessica Oliva
12 JESSICA OLIVA, ESQ.
13 Assistant United States Attorney
14 Counsel for the United States

15 /s/ David R. Fischer
16 DAVID R. FISCHER, ESQ.
17 Counsel for Defendant WEST
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CERTIFICATE OF ELECTRONIC SERVICE

I HEREBY CERTIFY that I am an employee or agent of the LAW OFFICE OF DAVID R. FISCHER and am a person of such age and discretion as to be competent to serve papers and that, on the 24th day of March, 2020, I served a copy of the above and foregoing **STIPULATION TO CONTINUE DETENTION HEARING** in the following manner(s):

☒ ELECTRONIC SERVICE: Pursuant to Local Rule IC 4-1 of the United States District Court for the District of Nevada, the above-referenced document was electronically filed and served on all appearing parties through the Notice of Electronic Filing automatically generated by the Court.

☐ UNITED STATES MAIL: By depositing a true and correct copy of the above referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

☐ OVERNIGHT COURIER: By depositing a true and correct copy of the above referenced document for overnight delivery via a nationally-recognized courier, addressed to the parties listed below at their last-known mailing address.

☐ FACSIMILE: By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon.

☐ EMAIL: By sending the above-referenced document via email to those persons at the email addresses set forth below:

/s/ David R Fischer
DAVID R. FISCHER, ESQ.
Attorney for Defendant WEST

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No.: 2:20-mj-00217-DJA

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER**

BILLY JOE WEST,

Defendant.

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

This Stipulation for the continuance is entered into for the following reasons:

1. This is a joint request by counsel for the Defendant, BILLY JOE WEST, and the Assistant United States Attorney, Jessica Oliva;
2. Counsel request this additional time in order to allow the third party custodian, Mrs. Cheryle West, to be present at the detention hearing; Mrs. West is unable to attend the detention hearing on Wednesday, March 25, 2020, due to medical reasons.
3. Counsel communicated with the Defendant, BILLY JOE WEST, who is in custody at the Nevada Southern Detention Center, and WEST agrees with the continuance;
4. This is the first request for a continuance filed herein.

WHEREFORE, for the foregoing reasons, the ends of justice would best be served by a continuance of the Detention Hearing to Thursday, March 26, 2020 at 02:30 P.M..

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CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

ORDER

IT IS HEREBY ORDERED that the Detention Hearing currently scheduled for Wednesday, March 25, 2020 at 02:30 P.M., be continued to the 26th day of March, 2020 at 2:30 p.m. , in courtroom 4B.

IT IS SO ORDERED

DATED: March 25, 2020



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE